LYNCHBURG CITY COUNCIL Agenda Item Summary

MEETING DATE: **December 13, 2005, Work Session**AGENDA ITEM NO.: 4

CONSENT: REGULAR: X CLOSED SESSION:

(Confidential)

ACTION: X INFORMATION:

ITEM TITLE: Proposed Ordinance to Require Owners to Clean Up After Their Dogs

<u>RECOMMENDATION:</u> Authorize the advertisement of a public hearing to receive comment on a proposed ordinance to require owners to clean up after their dogs defecate on public property or private property without permission.

<u>SUMMARY:</u> For some time there has been growing concern about dog owners allowing their pets to defecate on public property or private property without permission of the property owner and failing to remove the waste. Council members have heard these concerns and have even raised them at past work sessions. Recently residents of Wyndhurst presented a petition (attached) asking Council to take steps to provide penalties for owners who fail to clean up after their dogs. Council Member Seiffert asked that the matter be brought before Council.

The City Attorney has drafted the attached ordinance for Council's consideration. Council is asked to authorize a public hearing on this matter for its January 10, 2006 regular meeting.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, 455-3990; Walter Erwin, 455-3973

ATTACHMENT(S): Petition; Proposed Ordinance

REVIEWED BY: Ikp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION NUMBERED 7-12. CLEANING UP AFTER DOGS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Section 7-12 as follows:

Sec. 7-12. Cleaning up after dogs.

- (a) It shall be unlawful for any owner or person in control of any dog to allow such dog to defecate on public property or on the private property of other persons without their consent or the consent of the owner's authorized agent.
- (b) Provided however, defecation by a dog on public or private property shall not constitute a violation of this section if the owner or person in control of the dog immediately removes the defecated matter and disposes of it in a safe and sanitary manner.
- (c) A violation of this section shall constitute a class 4 misdemeanor.
- (d) To charge someone with a violation of this section the person observing the violation shall appear before the magistrate and provide the magistrate with the information necessary for the issuance of a summons or warrant.
- 2. That this ordinance shall become effective upon its adoption.

Adopted:		
Certified:		
	Clerk of Council	

November 21,2005

Honorable Mayor Carl Hutchinson City of Lynchburg, Virginia

Dear Mayor Hutchinson,

Enclosed is a petition from the residences of Wyndhurst, as requested. The petition consists of 63 signatures.

We are requesting a city ordinance that would penalize pet owners who fail to pick up their pet's litter.

Thank you for your attention to this matter.

Respectfully,

'Mary DeWitt'

Chairman: Parks POA Ground Committee

106 Wyndsong Place

Lynchburg, Virginia 24502

Home phone: 237-0602

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To: City Of Lynchburg

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To: City Of Lynchburg

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